

**MILFORD BOARD OF ADJUSTMENT MINUTES – APRIL 15, 2004**

Present: Len Harten, Chairman

Rick Westergren, Vice Chairman

Kathy Bauer

Kathy Maher

Bob Levenson

Shirley Carl, Recording Secretary

Case # 8-04      Milford Methodist Church – 319 North River Road – Map 4, Lot 33 - Special Exception  
from Article V, Para. 5.042.M, Res. “R”, to construct a new church facility.

Motion to approve \_\_\_\_\_

Seconded by \_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_

Chairman Harten opened the meeting by stating that the hearings are held in accordance with the Town of Milford Zoning Ordinance and the NH Statutes.

At this time, Vice-Chairman Westergren informed the Board that he is a member of the Methodist Church but was not part of the site selection and felt he could sit on the case without a problem. He doesn't feel he has any conflict. B. Levenson did comment that it might be in the future best interest of the Church if he did step aside if there were to be a challenge to the vote at some future date. R. Westergren did sit on the case.

The Notice of Hearing and abutter list was read into the record. Present - Richard Masters, President Board of Trustees; no abutters present. David Bell, abutter did respond by letter. Pastor Tom Getchell-Lacey was also present as well as the Building Committee.

The secretary read the comments received from D. Bell into the record. They didn't have any problem with the request.

Point of clarification - B. Levenson questioned the application wherein it states "to include multipurpose sanctuary, classrooms, offices and a small kitchen". He asked the Board if this would change the scope of matter.

Richard Masters explained that the classrooms are for Sunday school rooms. In the future it is possible to open up our doors for daycare, etc. That is not our current plan or application at this time. There are meetings almost every night of the week. No traffic issues for these types of meetings. They are on the next Planning Board Agenda and have submitted the same plan to this Board as was submitted to the Planning Board. Prior use of the property was a salvage yard and we went through an environmental review of the site and found there were some contamination in the soil, the soils were removed from the contaminated area and they have a letter from DES stating that everything is clean. There are monitoring wells on site. On this site previously there were cars parked all over the site. There is presently a garage on site and we plan to continue to use it for storage.

Mr. Masters asked Susan Cosandier, chair of the Church Council and informed the Board that it has been an arduous process. We are in a building in a Church that is ready to grow and we need to expand and make the building handicap accessible and with our limited parking the, the Building & Location Conference doesn't want to support that. They have looked for a site for three years but wanted to stay in Milford. R. Masters continued speaking about the site. It is a good site for the Church, it is flat land, the soils perc quite well, we haven't designed the septic facilities and feels there won't be any constraints, drainage is very good, no wet areas and there is room for a well. The entire lot consists of 11 acres and we are looking at a very small area for the church and parking.

Criteria:

A. The proposed use shall be similar to those permitted in the district. We are siting this in Res. "R"; there are a lot of residences nearby as well as non-residential uses. He feels this Church will be servicing the residences of the area and will be quite compatible with a residential use. It doesn't present any traffic, noise, etc. North River Rd. is a State road and the traffic that will be generated entering/exiting the site will require a State permit for a curb cut. He doesn't feel there will be any issue at all.

Chairman Harten felt that he had addressed A, B, C and D.

E. Adequate appropriate facilities will be provided for the proper operation of the proposed use. The site will be serviced by septic and water and very easy to site on this property. Lighting was discussed and they stated they would meet the requirements.

There were no questions from the Board regarding the criteria.

At 8:30, the Chairman declared the open portion of the meeting closed.

No discussion, voting took place.

1. Is the exception allowed by the Ordinance?

B. Levenson – Yes

K. Maher – Yes

K. Bauer – Yes

R. Westergren – Yes

L. Harten – Yes

2. Are the specified conditions present under which the exception may be granted?

B. Levenson – Yes

K. Maher – Yes

K. Bauer – Yes

R. Westergren – Yes

L. Harten – Yes

Motion to approve by B. Levenson, seconded by K. Maher, all in favor. 30 day appeal period.